

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ADAM SARR, *on behalf of herself,
FLSA Collective Plaintiffs, and the Class,*

Plaintiff,

v.

SINERGIA, INC., and
DONALD LASH,

Defendants.

Case No.: 22-cv-03610

**NOTICE OF PENDING
LAWSUIT**

You are receiving this notice if you work or worked as a Direct Support Professional for SINERGIA, INC., at any time between May 4, 2019, and the present.

Former employee ADAM SARR (“Plaintiff”) has sued SINERGIA, INC., and DONALD LASH (collectively, “Defendants”), claiming that she is owed for: (1) unpaid overtime wages due to time shaving; (2) liquidated damages; and (3) attorneys’ fees and costs, in violation of the federal Fair Labor Standards Act (“FLSA”).

The purpose of this Notice is to advise you of your right to participate in this lawsuit under the FLSA, should you choose to exercise it. This Notice applies only to the claim for unpaid overtime wages due to time shaving that Plaintiff has brought under the FLSA, and not to any state and local law claims.

Sinergia, Inc. and Donald Lash claim that Plaintiff’s claims lack merit and that Plaintiff was properly paid for all wages due. Defendants further deny any wrongdoing under all applicable federal, state, and local laws. The Court has not decided whether any party is right or wrong. Rather, the Court has only allowed Plaintiff to send this notice to Direct Support Professionals who work or worked at Sinergia, Inc. since May 4, 2019.

YOUR LEGAL RIGHTS

If you worked for Sinergia, Inc. as a Direct Support Professional at any time between May 4, 2019 and the present and believe that you were not paid all overtime wages due to you because of “time shaving” and unpaid travel time between work locations you have the right to participate in this lawsuit. It is your right to join or not to join this lawsuit. If you decide to join this lawsuit, it is illegal for Defendants to retaliate against you for participating in this lawsuit.

If you participate in this lawsuit’s FLSA claim for alleged unpaid overtime wages due to

time shaving and unpaid travel time between work locations, you will be required to provide information and documents and to answer questions, and Defendants have the right to require you to testify under penalty of perjury at a deposition and in federal court during a trial before a federal judge. You will also be bound by any outcome of this lawsuit's FLSA claim, whether it is favorable or unfavorable.

If you wish to join this lawsuit and have Plaintiff's counsel represent you in it, you must complete and sign a "Consent to Sue" form, which is enclosed with this Notice, and send it on or before **[60 days from the date notice is sent out]** to:

C. K. Lee, Esq.
Lee Litigation Group, PLLC
148 West 24th Street, 8th Floor
New York, NY 10011
Tel: (212) 465-1180
Fax: (212) 465-1181
Email: ckleee@leelitigation.com

However, you have the right to retain another attorney of your own choosing to represent you. If you do so, that attorney can submit this consent to sue form to the Court on your behalf. You also have the right to represent yourself and not retain an attorney.

If your signed Consent to Sue form is not postmarked, emailed, faxed, or submitted to the Court by **[INSERT DATE]**, you may not be allowed to participate in this lawsuit.

If you do not join this lawsuit, you should be aware that there is a time limit, called a statute of limitations, to bring this type of lawsuit.

THE LAWYERS REPRESENTING THE PARTIES

If you join this lawsuit and agree to be represented by Plaintiff's attorneys, you will be represented by Lee Litigation Group, PLLC. The firm is handling the lawsuit on a "contingency fee" basis. This means that if the Plaintiff wins a favorable judgment, Lee Litigation Group, PLLC may ask the Court to award it the greater of (i) up to one-third of the monetary recovery or (ii) its accrued lodestar. You are not required to have Lee Litigation Group, PLLC represent you. If you want your own attorney to represent you in this lawsuit, you may retain another attorney. You may also consult with any attorney of your own choosing before joining this case. You also have the right to represent yourself without retaining an attorney.

Pechman Law Group PLLC is representing Defendants. **[Defendants' proposal]**: Pechman Law Group PLLC can be contacted at:

Pechman Law Group PLLC
Gianfranco J. Cuadra, Esq.
Louis Pechman, Esq.
488 Madison Avenue, 17th Floor
New York, New York 10022

Email: pechman@pechmanlaw.com; cuadra@pechmanlaw.com]

GETTING MORE INFORMATION

[Plaintiff's proposal]: You can obtain more information about this lawsuit by contacting Plaintiff's attorneys. Plaintiff's attorneys can be contacted at:

C. K. Lee, Esq.
Lee Litigation Group, PLLC
148 West 24th Street, 8th Floor
New York, NY 10011
Tel: (212) 465-1180
Fax: (212) 465-1181
Email: cklee@leelitigation.com]

[Defendants' proposal]: You can obtain more information about this lawsuit before joining it by contacting Plaintiff's attorneys or Defendants' attorneys. If you do join this lawsuit, however, you should only contact your own attorney and not Defendants' attorneys.]

Please do not call or write the Court or the Clerk's Office with questions about this Notice or the lawsuit.

Dated: New York, New York, _____, 2022.

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SOUTHERN DISTRICT OF NEW YORK**

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Defendants.

Case No.: 22-cv-03610

“CONSENT TO SUE” FORM

[Plaintiff’s proposal]: By completing, signing, and transmitting this “Consent to Sue” Form by **[60 days from the date of notice]** to:

C. K. Lee, Esq.
Lee Litigation Group, PLLC
148 West 24th Street, 8th Floor
New York, NY 10011
Tel: (212) 465-1180
Fax: (212) 465-1181]

I hereby consent to join this lawsuit as a party plaintiff. By signing and returning this consent form, I also hereby designate Lee Litigation Group, PLLC to represent me and make decisions on my behalf concerning the litigation and any settlement.]

[Defendants’ proposal]: I hereby consent to join this lawsuit as a party plaintiff. By signing and returning this consent form, I also hereby designate Lee Litigation Group, PLLC to represent me and make decisions on my behalf concerning the litigation and any settlement. However, I understand that I have the right to have another attorney of my own choosing represent me. If I do not want the Lee Litigation Group, PLLC to represent me, I designate _____ to represent as my attorney in this action. I also understand that I have the right to represent myself in this action.]

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____

E-mail Address: _____

SIGNATURE: _____ Date: _____